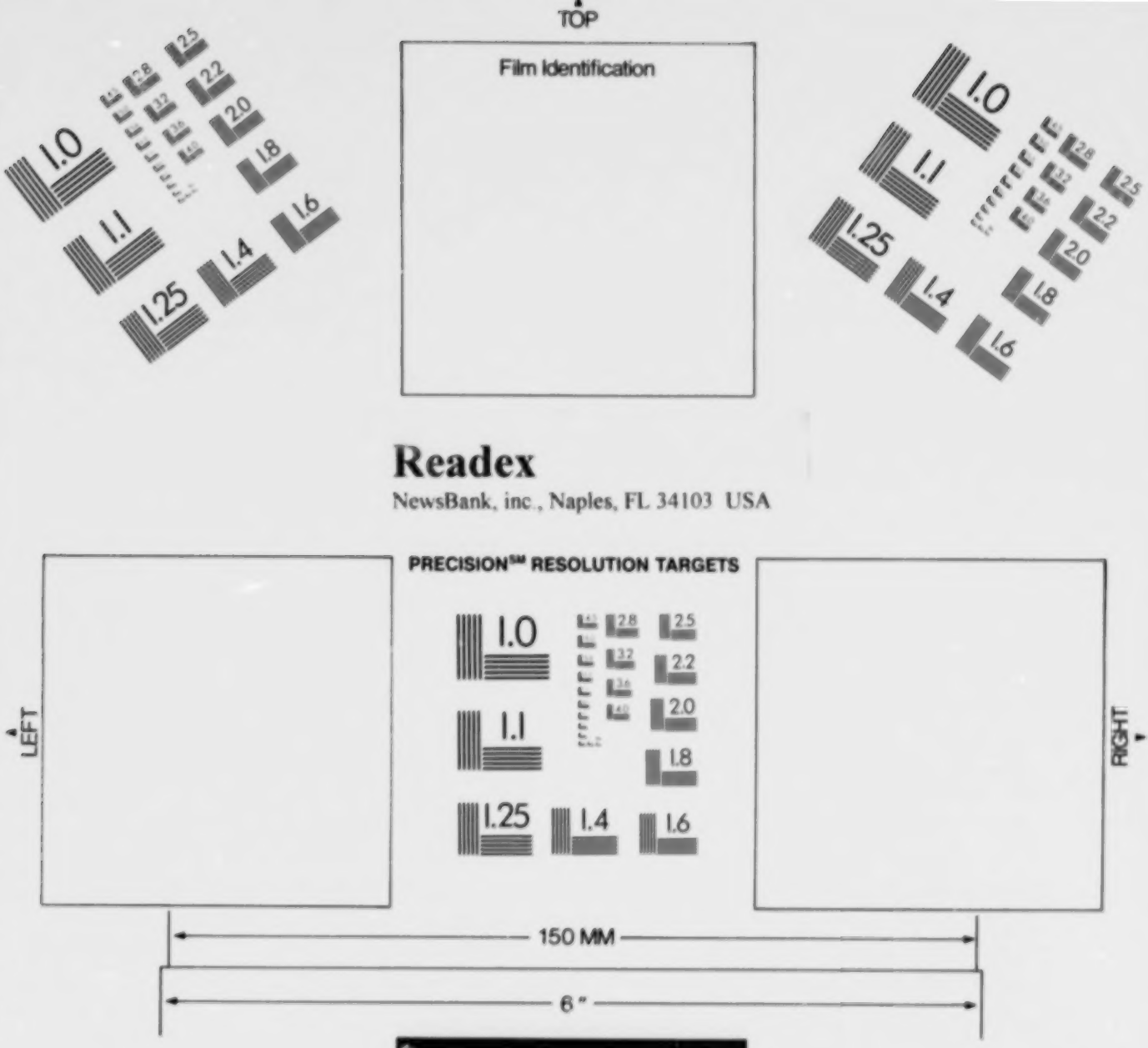

PM-3 8½"x11" PHOTOGRAPHIC GENERAL TARGET
NBS 1010a ANSI/ISO #2 EQUIVALENT

United Nations A/57/164

General Assembly

Distr.: General
11 July 2002
English
Original: English/French/Spanish

Fifty-seventh session
Item 155 of the preliminary list*
Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Report of the Secretary-General**

Summary

Ten Member States and the International Committee of the Red Cross transmitted to the Secretary-General information requested in paragraph 11 of General Assembly resolution 55/148 of 12 December 2000.

A list of States parties to the Additional Protocols of 1977 is contained in the annex to the present report.

* A/57/50/Rev.1.

** The present report contains the texts of the replies received by 28 June 2002, the deadline having been established as at 30 June 2002 in the notes of the Secretary-General on the topic.

02-46782 (E) 160902

Contents

		Page
I.	Introduction	3
II.	Information received from Member States	3
	Burkina Faso	3
	Chile	3
	Croatia	4
	Mauritius	6
	Mexico	6
	Nicaragua	6
	Philippines	7
III.	Information received from international organizations	7
	International Committee of the Red Cross	7
Annex		
	List of States parties to the Protocols Additional to the Geneva Conventions of 1949 as at 28 June 2002	12

I. Introduction

1. On 12 December 2000, the General Assembly adopted resolution 55/148, entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts". In paragraph 11 of the resolution, the Assembly requested the Secretary-General to submit to it at its fifty-seventh session a report on the status of the additional Protocols based on information received from Member States and the International Committee of the Red Cross.

2. Pursuant to that request, the Secretary-General, by a note dated 16 January 2002 and a letter dated 19 January 2001, invited respectively Member States and the International Committee of the Red Cross to transmit to him by 30 June 2002 the information requested in paragraph 11 of General Assembly resolution 55/148 for inclusion in the report.

3. Replies have been received from Burkina Faso, Chile, Croatia, Cyprus, France, Mauritius, Mexico, Nicaragua, Oman and the Philippines. A reply has also been received from the International Committee of the Red Cross. Extracts of the replies are contained in sections II and III of the present report.* The full texts of the replies are available for review in the Codification Division of the Office of Legal Affairs of the Secretariat.

4. The list of all States that are parties to the Protocols[1] Additional to the Geneva Conventions of 1949[2] as at 28 June 2002, as communicated by the competent authorities of the Government of Switzerland, depositary of the Protocols, appears in the annex to the present report.

II. Information received from Member States

Burkina Faso

[Original: French]
[22 June 2001]

Dissemination and application

1. The additional Protocols have been widely disseminated in the national armed forces. Moreover, the international humanitarian law of which they form an integral part is a compulsory subject in military education and training.

2. In this connection, no military diploma conferring promotion may be awarded without a grade above 8 out of 20.

3. A unit for the dissemination and monitoring of international humanitarian law has been operating since 1991 within the national armed forces. Its responsibilities include training instructors in international humanitarian law and monitoring their activities on the ground.

4. With regard to the application of military law and international humanitarian law, a military court with competence to try war crimes and serious violations of international humanitarian law has been established.

Declaration to the Fact-Finding Commission

5. The question of the declaration to the Fact-Finding Commission provided for under article 90 of Protocol I is currently under review by the Government. A national workshop on the measures yet to be taken to achieve implementation of international humanitarian law is being organized. (For the participation of Burkina Faso in the Additional Protocols, see the annex to the present report.)

Chile

[Original: Spanish]
[5 June 2001]

Implementation and dissemination at the national level

1. The Government of Chile has signed, ratified and incorporated into its domestic law the Geneva Conventions of 1949 and the Additional Protocols thereto of 12 December 1977 relating to the protection of victims of international armed conflicts (Protocol I) and the protection of victims of non-international armed conflicts (Protocol II).

2. In order to implement the above-mentioned Conventions and Protocols, on 31 August 1994, the Minister for Foreign Affairs issued Supreme Decree No. 1.229, published in the *Official Gazette* on 27 October 1994, establishing the inter-ministerial National Committee on Humanitarian Law under the chairmanship of the Director of Legal Affairs of the

* The replies of Cyprus, France and Oman dealt solely with their participation in the Additional Protocols. This information is included in the annex, and no extracts from their reports appear in section II.

Ministry of Foreign Affairs, and comprising representatives of the ministries of the Interior, Defence, Justice, Education and Health.

3. The Committee is mandated to consider and propose to the competent authorities relevant measures for the implementation of the Geneva Conventions of 1949 and Additional Protocols I and II thereto of 1977. To that end, it may develop draft implementing provisions of a statutory and regulatory nature. In carrying out its mandate, the Committee may seek information and advice from relevant public and private institutions.

4. Since its inception, the primary focus of the Committee has been to ensure that Chile lives up to the commitments it entered into with respect to the above Conventions and the Optional Protocols, that is, to identify, consider and propose the necessary legislative reforms for the incorporation of the provisions of those instruments into domestic law.

5. For that purpose, the following approaches have been outlined:

(a) Provisions requiring implementing legislation: this refers to those provisions relating to criminal offences and penalties and those relating to constitutional safeguards;

(b) Provisions to be implemented by the President of the Republic using his regulatory authority;

(c) Provisions calling for implementation by the armed forces.

6. The Ministry of Justice has also sought assistance from the Department of Criminal Law of the Universidad de Chile, from which it commissioned a study on the definition of new offences covering the crimes of genocide, war crimes, crimes against humanity and forced disappearances of persons. When the study has been completed, the Committee will be in a position to prepare the relevant draft legislation as outlined above.

7. As far as the dissemination of international humanitarian law by the army, navy and air force is concerned, those institutions already apply the provisions relating to the Geneva Conventions, which are incorporated in the curricula of both their schools and academies.

8. In the area of education, the Committee has approached the Ministry of Education to ensure that international humanitarian law is included in the curricula of primary and elementary schools. In 1999, the Ministry of Education proclaimed 14 August a Day for Peace and Non-Violence in all schools.

9. In addition, in order to share experiences and implement a cooperation and coordination mechanism, the National Committee on Humanitarian Law of Chile and the Committee on the Compliance with Humanitarian Law of Argentina held biannual meetings and reached agreements aimed at fostering an effective exchange of information on both the work carried out by each Committee and technical legislative information on draft legislation for ensuring compliance with international humanitarian law.

10. It should be noted that the Committee maintains continuing cooperation and collaboration with the International Committee of the Red Cross (ICRC), including through the ICRC Regional Delegation for Argentina, Bolivia, Chile, Paraguay and Uruguay.

11. Act No. 19.511 of 31 July 1997, published in the *Official Gazette* of 3 September 1997, amended earlier No. 6.371 of 1939 on the "Protection of the emblem of the Red Cross", updating its provisions by deleting the references to the Geneva Conventions of 1906 and 1929, which are included in the Conventions of 1949. Its text has also been brought into line with the provisions of the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977.

Croatia

[Original: English]
[17 June 2002]

Application and dissemination

1. According to the Croatian Constitution, any international agreement which has been signed and ratified in conformity with the Constitution and has been published and entered into force forms part of the internal legal system of Croatia. While the constitutional provisions establish a legal framework for the application of international law, more specific provisions are contained in the Croatian Criminal Code, with a view to ensuring the full implementation of the Geneva Conventions and the Additional Protocols, which stipulate that legislative measures be

established to provide for the criminal prosecution of perpetrators or persons who have ordered any of the grave breaches of the Conventions. Violations of international humanitarian law in general and of the Geneva Conventions and Additional Protocol I in particular, are criminalized under the Croatian Criminal Code. Chapter V, section 13, of the Criminal Code, entitled "Acts against Values Protected under International Law", specifies criminal acts prohibited under international humanitarian law. Those provisions have a blanket character, in that they directly refer to international law.

2. The texts of the Geneva Conventions and the Additional Protocols thereto were published on 12 May 1994 in the *Official Gazette — Treaties Section*; they were the first of the treaties to which Croatia had succeeded to be issued in the Croatian language. In addition to their appearance in that official publication, the texts of the Conventions and the Additional Protocols also appeared in two other publications in 1994 and 1997 (accompanied by a glossary), and two ICRC editions in the Croatian language were also published in 1999 and 2000.

3. The competent authorities in the Republic in Croatia have been engaged in disseminating knowledge about international humanitarian law, targeting in particular members of the armed forces, relevant personnel of the Ministry of the Interior and civil society. Furthermore, a National Programme for Human Rights and a National Programme for Youth are under preparation. Both programmes will integrate the dissemination of international humanitarian law into broader education on human rights.

Activities of the National Committee for International Humanitarian Law

4. Following an initial meeting of experts in 1996, in which the concept of establishing special bodies for the implementation of international humanitarian law was launched, Croatia took steps which led to the creation of the National Committee for International Humanitarian Law. The Committee, which was established in July 2000 by the decision of the Government, comprises representatives from relevant ministries, university professors specialized in international law and representatives of the Croatian Red Cross. The inclusion of representatives of other NGOs has also been considered.

5. At its first session, in 2000, the Committee reviewed the general tasks before it and put forward a proposal to introduce international humanitarian law into school curricula. Croatia also participated in the Second Regional European Meeting of National Committees and other Bodies on the Implementation of International Humanitarian Law, held at Budapest in February 2001, where it presented a report on developments in international humanitarian law implementation. During the 2001 session of the Committee, which was attended by an ICRC representative, the debate focused on the idea of initiating a study on international humanitarian law. The Committee decided, among other things, to convene thematic sessions which would provide an opportunity for the representatives of highly vulnerable groups to pinpoint specific problems in international humanitarian law implementation. It was also decided to initiate cooperation with similar bodies in neighbouring countries and in that context an invitation is to be addressed to Slovenia. It is believed that such cooperation will help to identify possible gaps in national legislation and that the exchange of experiences will be useful in proposing measures to the Government of Croatia designed to further the implementation of international humanitarian law. Furthermore, the Committee discussed the prospective ratification of the Hague Conventions by Croatia, which are currently treated as part of general customary international humanitarian law.

6. In 2002, Croatia attended the first world meeting of representatives of National Committees and other Bodies on the Implementation of International Humanitarian Law (Geneva, 25-27 March 2002) and took an active part in its working groups. Work on the above-mentioned study has been launched by the secretariat of the Committee and is evolving in cooperation with relevant ministries and experts. The purpose of the study is to provide information about the current status of implementation of international humanitarian law in Croatia, complementing it with an outline of planned activities aimed at its improvement. (For the participation of Croatia in the Additional Protocols, see the annex to the present report.)

Mauritius

[Original: English]
[7 June 2002]

Since the beginning of 2001, one of the actions Mauritius has taken to strengthen the body of international humanitarian law, with respect to its dissemination and full implementation at the national level was the establishment on 10 October 2001 of a National Humanitarian Law Committee. The Committee is responsible for assisting the Government in the implementation of international humanitarian law instruments to which Mauritius is a party and for ensuring that efforts to bring national legislation in line with international humanitarian law are sustained and coherent. The National Humanitarian Law Committee is composed of representatives of the Prime Minister's Office. (For the participation of Mauritius in the Additional Protocols, see the annex to the present report.)

Mexico

[Original: Spanish]
[4 April 2002]

With respect to the Protocol Additional to the Geneva Convention of 1949 and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), Mexico has begun consultations with the competent authorities with a view to its ratification. (For the participation of Mexico in the Additional Protocols, see the annex to the present report.)

Nicaragua

[Original: Spanish]
[22 May 2001]

The Government of the Republic of Nicaragua, desiring to disseminate and effectively implement international humanitarian law, has created a National Commission for the Implementation of International Humanitarian Law, comprising not only various State institutions but also different sectors of Nicaraguan civil society. The texts of Decree No. 54-99 on the creation of the National Commission for the Implementation of International Humanitarian Law and Decree No. 122-99 amending Decree No. 54-99 are transmitted herewith.[3]

Creation of the National Commission for the Implementation of International Humanitarian Law

"Decree No. 54-99

"...

"*Hereby decrees*

"*Article 1.* A National Commission for the Implementation of International Humanitarian Law, hereinafter referred to as the 'Commission', shall be created, whose primary function shall be to advise and assist the Government of the Republic on all matters relating to the signature and ratification of, or accession to, humanitarian law treaties, their incorporation into national law and the dissemination of their provisions.

"*Article 2.* [as amended by Decree No. 122-99] The Commission shall comprise representatives designated by the following institutions: Ministry of Foreign Affairs; Ministry of Education, Culture and Sports; Ministry of the Interior; Ministry of Defence; Ministry of Health; Office of the Procurator-General; Secretariat of the Presidency; Army of Nicaragua; Navy of Nicaragua; External Relations Committee of the National Assembly; Human Rights and Peace Committee of the National Assembly; Supreme Court of Justice; Office of the Human Rights Procurator; Nicaraguan Red Cross; National Autonomous University of Nicaragua (UNAN); National University (UNAN-León); Central American University; Redemptoris Mater Catholic University; University for Peace; and American University.

"...

"*Article 3.* The Chairman of the Commission shall request the institutions listed under 7 to 15 in the preceding article to designate their respective representatives, which they shall do within 15 days after receiving notification to that effect.

"*Article 4.* [as amended by Decree No. 122-99] The Commission shall be presided over by the Ministry of Foreign Affairs and may be assisted

by members of civil society and experts in international law acting as advisers, who shall be persons of recognized moral standing and ability and shall be in full exercise of their rights as citizens.

"The Commission may establish relations with non-governmental organizations working in the area of international humanitarian law and with international organizations whose functions are related to the activities of the Commission.

"*Article 5.* The Commission may, if it deems appropriate, request other Government departments as well as other branches of the State to designate representatives to participate in its deliberations when the nature of the issue makes it necessary to coordinate research, action and the documentation needed to fulfil its purposes.

"*Article 6.* For the discharge of its functions and responsibilities, the Commission shall draft its own rules of procedure."

(For the participation of Nicaragua in the Additional Protocols, see the annex to the present report.)

Philippines

[Original: English]
[21 June 2001]

1. Training in human rights and international humanitarian law in the Armed Forces of the Philippines (AFP) and the National Police has been institutionalized since 1990. It was further strengthened with the issuance of Presidential Memorandum Order 259-95, dated 7 February 1995, providing for the inclusion of training in human rights and international humanitarian law in all AFP career courses for officers and enlisted personnel. In compliance with the presidential directive, AFP has incorporated a week-long seminar on the subject in all the curricula of its career courses, extending from cadet training at the Philippine Military Academy to the training of officers and enlisted personnel in AFP.

2. There is now a permanent National Committee on International Humanitarian Law. Based in the Philippine National Red Cross (PNRC), the Committee is composed of representatives from the Department of Foreign Affairs, the Department of National Defence, AFP, the Philippine National Police, the Department of Interior and Local Government, the Commission on Higher Education, the University of the Philippines, academia, the diplomatic corps, the ICRC delegation, and five members of the PNRC Board of Governors. The committee functions as an advisory body in the dissemination and advocacy work of PNRC in the area of international humanitarian law. Most of the PNRC chapters around the country have also organized similar committees on international humanitarian law in their respective boards.

3. Presidential Executive Order No. 134, issued in 1999, declared 12 August of every year as International Human Rights Law Day. The executive order affirms Philippine adherence to the principles of international humanitarian law and enjoins all government agencies to actively support and participate in programmes and activities related to the dissemination and advocacy of international humanitarian law.

III. Information received from international organizations

International Committee of the Red Cross

[Original: French]
[18 June 2002]

Introduction

1. The year 2002 marked the twenty-fifth anniversary of the Protocols Additional to the Geneva Conventions of 1949. The adoption of those instruments constituted a decisive stage in the long process of strengthening the protection of individuals in armed conflicts. Indeed, they supplemented the Geneva Conventions by taking new realities into account, especially the rapid development of weapons technology, which increases the risks to the civilian population. As at 7 June 2002, 160 States were parties to the Protocol Additional to the Geneva Conventions of 1949 and relating to the protection of victims of international armed conflicts (Protocol I), and 153 States were parties to the Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the protection of victims of non-international armed conflicts (Protocol II).

2. A round table entitled "International humanitarian law at the start of the twenty-first

century: Challenges and prospects" was jointly organized in Geneva on 6 June 2002 by the Federal Department of Foreign Affairs of the Swiss Confederation and the International Committee of the Red Cross. Furthermore, on 7 June, ICRC took part in an official ceremony at the International Museum of the Red Cross and Red Crescent, during which the original text of the first Geneva Convention of 1864 was given to the museum on loan as a temporary exhibit. The event was organized mainly by the Federal Department of Foreign Affairs of the Swiss Confederation and by the Canton and City of Geneva.

Dissemination

3. In order to promote greater awareness of international humanitarian law, ICRC regularly conducts information campaigns in order to reach audiences as varied as members of the armed forces, the national Red Cross and Red Crescent societies, government staff, schools, universities, health-care workers, members of the mass media and the general public. Activities to promote awareness of international humanitarian law have significantly intensified and become diversified.

Ratification and implementation

Advisory Service on International Humanitarian Law

4. In order to promote the ratification of treaties on international humanitarian law and to assist States in meeting their international obligations in terms of adopting national implementing measures for those instruments, ICRC in 1996 established the Advisory Service on International Humanitarian Law. The service provides States with specialized legal and technical assistance and promotes the exchange of information. It has a unit attached to the Legal Division of ICRC in Geneva, composed of lawyers specializing in civil-law and common-law systems, along with a team of jurists working in the field on each continent, specializing in the incorporation of international humanitarian law into domestic legal systems.

Ratification

5. The United Nations General Assembly has, since 1977, adopted at least 11 resolutions calling upon States to ratify the Protocols Additional to the Geneva Conventions of 1949 and inviting them to disseminate widely and implement fully the rules set out in the Protocols.

6. The importance of universal adherence to treaties on international humanitarian law and their effective implementation at the national level were reaffirmed in the Plan of Action for the years 2000-2003 adopted by the Twenty-seventh International Conference of the Red Cross and Red Crescent, held at Geneva in 1999. The conference also stressed the central role of the ICRC Advisory Service in promoting the ratification of instruments on international humanitarian law and in advising and assisting States in taking the measures necessary for their implementation.

National implementation

7. Although accession to the treaties on international humanitarian law is vital, it is only a first step in improving the protection of victims of armed conflict. The treaties themselves contain certain obligations which require national implementation measures: States which are parties to the 1949 Geneva Conventions and the 1977 Additional Protocols assume a number of commitments.

National and regional seminars on international humanitarian law

8. To encourage national implementation, the ICRC Advisory Service on International Humanitarian Law organizes regular national and regional seminars with representatives of national authorities, the judiciary and the military. The civil defence authorities, local authorities, academic circles and other sections of the community in a position to contribute to implementing international humanitarian law have also been encouraged to take part in the seminars, which are arranged in cooperation with the national Red Cross and Red Crescent societies and other organizations. There have been over 90 so far.

9. The seminars provide an opportunity to study the implementation of international humanitarian law, taking account of local circumstances, and to examine existing measures in order to draw up a plan of action for implementation. They also seek to encourage contacts between all individuals and entities with a role to play in implementation at the national level and to promote the establishment of national committees for the implementation of international humanitarian law.

10. The seminars usually end with a report containing conclusions and recommendations directed at the national authorities of the countries of the region or of the host country. The reports provide the Advisory Service with a valuable resource, not only to continue its dialogue with national Governments, but also to draw up specific plans of action suited to the needs of the countries concerned. The Advisory Service also follows up the seminars closely to ensure that their recommendations are implemented as far as possible. As part of that activity, they can supply documentation on international humanitarian law and examples of existing national legislation, facilitate the exchange of information and help with the translation of treaties into the appropriate languages.

National committees for the implementation of international humanitarian law

11. The number of national committees for the implementation of international humanitarian law has continued to rise, and now stands at 62. They are spread across the world, have different roles and operate differently, but their membership is often similar, usually including representatives of the national authorities and the ministers most closely involved in the subject, experts and often members of the national Red Cross and Red Crescent societies. The national committees are listed at www.cicr.org/eng/advisory_service_ihl.

12. The national committees advise Governments, providing them with ongoing support to solve any problems that might arise in connection with accession to international humanitarian law instruments, promote the incorporation of that international law into national law and assist in dissemination of the relevant provisions. The national committees also follow up national and regional seminars on international humanitarian law.

13. With the aim of assessing the impact of the national committees and their progress in advancing the implementation of international humanitarian law, the Advisory Service convened a meeting of representatives of the committees in Geneva from 25 to 27 March 2002. Its goals included discussing the possibility of setting up a system to exchange information (to ease national implementation) and determining how the national committees would fit into such a system. A further aim was to help the national committees to develop methods of facilitating the implementation of international humanitarian law. The Advisory Service will prepare a report on the meeting.

Meetings of experts

14. Regular meetings of experts on the implementation of international humanitarian law are held. The first took place in pursuance of resolution 1 of the Twenty-sixth International Conference of the Red Cross and Red Crescent, which underlined the need to strengthen implementation of and adherence to international humanitarian law through, inter alia, meetings and workshops.

15. The main goal of each meeting is to enable the experts to discuss and study in depth a specific question, which varies from year to year. In 2000, the experts discussed compliance by States with the norms relating to the protection of cultural property in the event of armed conflict. At the end of these various meetings, reports, proposals, guidelines and models were formulated on the implementation of international humanitarian law at the national level.

Legal and technical assistance

16. The legal and technical assistance which the Advisory Service offers to States in their efforts to incorporate international humanitarian law into their domestic legislation is provided at the request of and in close cooperation with the national authorities concerned. This approach ensures optimum compatibility of the proposed amendments or revisions with domestic legal arrangements.

17. The translation of treaties on international humanitarian law into the national languages is the first essential step towards the incorporation of these instruments into national legislation. The Advisory Service often participates jointly with the national Red Cross or Red Crescent society or with the Ministry of Foreign Affairs in the preparation of translations, which are then officially approved and published. The translations must then be made available to the persons concerned and sent to the corresponding depositaries so that they can be consulted by all States parties.

18. In order to facilitate the application of international humanitarian law at the national level, the Advisory Service, in close cooperation with the national authorities concerned, conducts studies of the compatibility of their domestic legislation with the obligations arising under treaties on international

humanitarian law. At present, over 60 studies have already been conducted, often with the help of local experts. In agreement with the authorities concerned, the completed studies are made available to other national authorities and are disseminated and discussed at seminars or meetings, with a view to the adoption of suggested measures to improve national implementation of international humanitarian law.

19. In addition to the above-mentioned country studies, the Advisory Service offers States legal advice on various questions relating to the implementation of international humanitarian law.

20. The biennial report of the Advisory Service describes the legal advice given to the requesting States. It may be obtained from the ICRC Publications Department or directly from the Advisory Service.[4]

Information exchange

21. The collection and exchange of information on measures taken by States to implement international law at the national level represent an essential part of the work of the Advisory Service. The Service currently possesses a collection of legislative texts, case law and studies covering over 150 countries. Special care is taken to ensure that States from all regions of the world with different legal systems are included. Data for 70 countries, both common-law and civil-law countries, are currently displayed. This database, created in parallel to the one containing the text of treaties on international humanitarian law, commentaries thereon and their ratification status, is also available at the ICRC web site: www.icrc.org/ihl-nat.

Publications

22. In order to present the main elements of international humanitarian law in a clear and concise manner and to highlight the areas in which the adoption of national measures is necessary even in peacetime, the Advisory Service has prepared a series of fact sheets intended for use by any interested person, in or outside the legal profession. They have been translated into several languages and are available on the Internet at www.cicr.org/fre/services_consultatifs_dih.

International organizations

23. International organizations such as the League of Arab States, the Economic Community of West African States, the Inter-Parliamentary Union, the Organization of American States and the Latin American Institute for the Prevention of Crime and the Treatment of Offenders have expressed a willingness to reinforce the implementation of treaties on international humanitarian law. For example, the League of Arab States now has a coordinating office for the implementation of international humanitarian law.

24. The ICRC Advisory Service has played an important role by supporting several regional or other international organizations in their efforts to promote the implementation of international humanitarian law. It has, inter alia, strengthened its relations with the United Nations Educational, Scientific and Cultural Organization and with the Council of Europe by participating in various meetings.

25. International organizations continue to play a not inconsiderable role in the promotion of the national implementation of international humanitarian law, either in the context of a specific group of countries in the case of regional organizations or in relation to a specific aspect of implementation as in the case of specialized international organizations.

Pledges received at the Twenty-seventh International Conference of the Red Cross and Red Crescent

26. The Twenty-seventh International Conference of the Red Cross and the Red Crescent, held at Geneva from 31 October to 6 November 1999, gave States parties to the 1949 Geneva Conventions and all the components of the Red Cross and Red Crescent Movement, as well as observers, an opportunity to pledge to translate their good will into specific humanitarian commitment.

27. Most of the 85 pledges made by Governments on that occasion concerned ratification of treaties on international humanitarian law and the adoption of national implementation measures. The Twenty-eighth International Conference of the Red Cross and Red Crescent, to be held at Geneva at the end of 2003, will assess the results achieved in the four years since the previous conference, but at the present juncture it must be observed that many of these pledges have already been fulfilled. This is especially true as regards the adoption of new laws concerning protection of the Red Cross and Red Crescent emblems, the creation of new national committees, the ratification of recent treaties

on international humanitarian law and the withdrawal of reservations to the 1949 Geneva Conventions.

Conclusion

28. Encouraged by the achievements and successes of recent years in the area of the implementation of international humanitarian law, ICRC will continue, in conjunction with its traditional activities of protection and assistance to the victims of armed conflicts, to promote the ratification of treaties relating to international humanitarian law and to cooperate with States by providing them with necessary advice and assistance to enable them fully to apply international humanitarian law.

Notes

[1] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

[2] Ibid., vol. 75, Nos. 970-973.

[3] Decree No. 122-99 amending articles 2 and 4 of Decree No. 54-99 have been incorporated into Decree No. 54-99. Information provided by the Member State further states that Decree No. 54-99 is published in *Official Gazette* No. 81 of 4 May 1999; and Decree No. 122-99 is published in *Official Gazette* No. 231 of 2 December 1999.

[4] International Committee of the Red Cross, Production-Marketing-Distribution Unit, 19 avenue de la Paix, Ch-1202, Geneva; e-mail: dc_com_pmd.gva@icrc.org; fax +41 22 730 27 68; or from the Advisory Service on International Humanitarian Law, 19 avenue de la Paix, Ch-1202, Geneva; e-mail: advisory service.gva@icrc.org; fax +41 22 730 29 56.

Annex

List of States parties to the Protocols Additional to the Geneva Conventions of 1949 as at 28 June 2002[a]

State	*Date of ratification, accession or succession*
Albania	16 July 1993
Algeria[b,c]	16 August 1989
Angola (Protocol I only)[b]	20 September 1984
Antigua and Barbuda	6 October 1986
Argentina[b,c]	26 November 1986
Armenia	7 June 1993
Australia[b,c]	21 June 1991
Austria[b,c]	13 August 1982
Bahamas	10 April 1980
Bahrain	30 October 1986
Bangladesh	8 September 1980
Barbados	19 February 1990
Belarus[c]	23 October 1989
Belgium[b,c]	20 May 1986
Belize	29 June 1984
Benin	28 May 1986
Bolivia[c]	8 December 1983
Bosnia and Herzegovina[c]	31 December 1992
Botswana	23 May 1979
Brazil[c]	5 May 1992
Brunei Darussalam	14 October 1991
Bulgaria[c]	26 September 1989
Burkina Faso	20 October 1987
Burundi	10 June 1993
Cambodia	14 January 1998
Cameroon	16 March 1984
Canada[b,c]	20 November 1990
Cape Verde[c]	16 March 1995
Central African Republic	17 July 1984
Chad	17 January 1997
Chile[c]	24 April 1991
China[b]	14 September 1983
Colombia (Protocol I)[c]	1 September 1993
(Protocol II)	14 August 1995
Comoros	21 November 1985
Congo	10 November 1983

State	Date of ratification, accession or succession
Cook Islands[a]	7 May 2002
Costa Rica[a]	15 December 1983
Côte d'Ivoire	20 September 1989
Croatia[a]	11 May 1992
Cuba (Protocol I)	25 November 1982
(Protocol II)	23 June 1999
Cyprus (Protocol I)	1 June 1979
(Protocol II)	18 March 1996
Czech Republic[a]	5 February 1993
Democratic People's Republic of Korea (Protocol I only)	9 March 1988
Democratic Republic of the Congo (Protocol I only)	3 June 1982
Denmark[b,a]	17 June 1982
Djibouti	8 April 1991
Dominica	25 April 1996
Dominican Republic	26 May 1994
Ecuador	10 April 1979
Egypt[b]	9 October 1992
El Salvador	23 November 1978
Equatorial Guinea	24 July 1986
Estonia	18 January 1993
Ethiopia	8 April 1994
Finland[b,a]	7 August 1980
France (Protocol I)[b]	11 April 2001
(Protocol II)[b]	24 February 1984
Gabon	8 April 1980
Gambia	12 January 1989
Georgia	14 September 1993
Germany[b,a]	14 February 1991
Ghana	28 February 1978
Greece (Protocol I)[a]	31 March 1989
(Protocol II)	15 February 1993
Grenada	23 September 1998
Guatemala	19 October 1987
Guinea[a]	11 July 1984
Guinea-Bissau	21 October 1986
Guyana	18 January 1988
Holy See[b]	21 November 1985
Honduras	16 February 1995

State	Date of ratification, accession or succession
Hungary[c]	12 April 1989
Iceland[b,c]	10 April 1987
Ireland[b,c]	19 May 1999
Italy[b,c]	27 February 1986
Jamaica	29 July 1986
Jordan	1 May 1979
Kazakhstan	5 May 1992
Kenya	23 February 1999
Kuwait	17 January 1985
Kyrgyzstan	18 September 1992
Lao People's Democratic Republic[c]	18 November 1980
Latvia	24 December 1991
Lebanon	23 July 1997
Lesotho	20 May 1994
Liberia	30 June 1988
Libyan Arab Jamahiriya	7 June 1978
Liechtenstein[b,c]	10 August 1989
Lithuania[c]	13 July 2000
Luxembourg[c]	29 August 1989
Madagascar[c]	8 May 1992
Malawi	7 October 1991
Maldives	3 September 1991
Mali	8 February 1989
Malta[b,c]	17 April 1989
Mauritania	14 March 1980
Mauritius	22 March 1982
Mexico (Protocol I only)	10 March 1983
Micronesia (Federated States of)	19 September 1995
Monaco	7 January 2000
Mongolia[b,c]	6 December 1995
Mozambique (Protocol I only)	14 March 1983
Namibia[c]	17 June 1994
Netherlands[b,c]	26 June 1987
New Zealand[b,c]	8 February 1988
Nicaragua	19 July 1999
Niger	8 June 1979
Nigeria	10 October 1988
Norway[c]	14 December 1981
Oman[b]	29 March 1984
Palau	25 June 1996

State	Date of ratification, accession or succession
Panama[c]	18 September 1995
Paraguay[c]	30 November 1990
Peru	14 July 1989
Philippines (Protocol II only)	11 December 1986
Poland[c]	23 October 1991
Portugal[c]	27 May 1992
Qatar (Protocol I only)[b,c]	5 April 1988
Republic of Korea[b]	15 January 1982
Republic of Moldova	24 May 1993
Romania[c]	21 June 1990
Russian Federation[b,c]	29 September 1989
Rwanda[c]	19 November 1984
Saint Kitts and Nevis	14 February 1986
Saint Lucia	7 October 1982
Saint Vincent and the Grenadines	8 April 1983
Samoa	23 August 1984
San Marino	5 April 1994
Sao Tome and Principe	5 July 1996
Saudi Arabia (Protocol I)[b]	21 August 1987
(Protocol II)	28 November 2001
Senegal	7 May 1985
Seychelles[c]	8 November 1984
Sierra Leone	21 October 1986
Slovakia[c]	2 April 1993
Slovenia[c]	26 March 1992
Solomon Islands	19 September 1988
South Africa	21 November 1995
Spain[b,c]	21 April 1989
Suriname	16 December 1985
Swaziland	2 November 1995
Sweden[b,c]	31 August 1979
Switzerland[b,c]	17 February 1982
Syrian Arab Republic (Protocol I only)[b]	14 November 1983
Tajikistan[c]	13 January 1993
The former Yugoslav Republic of Macedonia[b,c]	1 September 1993
Togo[c]	21 June 1984
Trinidad and Tobago[c]	20 July 2001
Tunisia	9 August 1979
Turkmenistan	10 April 1992
Uganda	13 March 1991

State	*Date of ratification, accession or succession*
Ukraine[c]	25 January 1990
United Arab Emirates[b,c]	9 March 1983
United Kingdom[b,c]	28 January 1998
United Republic of Tanzania	15 February 1983
Uruguay[c]	13 December 1985
Uzbekistan	8 October 1993
Vanuatu	28 February 1985
Venezuela	23 July 1998
Viet Nam (Protocol I only)	19 October 1981
Yemen	17 April 1990
Yugoslavia[c]	16 October 2001
Zambia	4 May 1995
Zimbabwe	19 October 1992

[a] As communicated by the competent authorities of the Government of Switzerland, depositary of the Protocols. By a note dated 15 August 1990, the Permanent Observer Mission of Switzerland informed the Secretary-General as follows:

"On 21 June 1989, the Federal Department for Foreign Affairs received a communication of 14 June 1989 from the Permanent Observer of Palestine to the United Nations Office at Geneva concerning Palestine's participation in the four Geneva Conventions of 12 August 1949 and their two additional Protocols of 8 June 1977. On 18 September 1989, the Federal Department for Foreign Affairs sent to the States parties to the Conventions an information note of 13 September 1989 regarding this communication, accompanied by the text of the latter. In the information note, the Swiss Federal Council, depositary of the Conventions, brings to the attention of the States parties that it is not in a position to settle the question whether the communication should be considered an instrument of accession within the meaning of the relevant provisions of the Conventions and their Additional Protocols."

[b] Ratification, accession or succession accompanied by a reservation and/or a declaration.

[c] Party which has made the declaration provided for under article 90 of Protocol I.

United Nations A/57/164/Add.1

General Assembly

Distr.: General
17 September 2002

Original: English/French/Russian/
Spanish

Fifty-seventh session
Item 154 of the provisional agenda*
Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Report of the Secretary-General

Addendum**

Summary

Subsequent to the submission of the main report, 12 Member States transmitted to the Secretary-General information requested in paragraph 11 of General Assembly resolution 55/148 of 12 December 2000. Relevant information from those Member States is presented in this addendum.

* A/57/150.
** This addendum is issued to reflect the contributions received by the Secretary-General after the deadline of 30 June 2002.

02-53235 (E) 270902

Contents

		Page
II.	**Information received from Member States**	3
	Belgium	3
	El Salvador	3
	Finland	4
	Germany	4
	Iran (Islamic Republic of)	5
	Lithuania	6
	Panama	6
	Russian Federation	7
	Slovenia	7
	Sweden	9
	United Kingdom of Great Britain and Northern Ireland	9
	Yugoslavia	10

Information received from Member States

Belgium

[Original: French]
[15 July 2002]

1. Shortly after the Additional Protocols entered into force, the Government of Belgium, on 20 February 1987, established an Interdepartmental Committee on Humanitarian Law with the aim of identifying and examining national measures for the implementation of international humanitarian law, making proposals regarding such measures to the competent authorities, and monitoring and coordinating the measures taken.[1]

2. The Interdepartmental Committee is one of the first implementation committees to have been set up. It is frequently cited as an example by the International Committee of the Red Cross (ICRC) in its campaigns to ensure that States fulfil their obligations under humanitarian law, and has served as a model for setting up comparable committees in other countries.

3. The Committee held a meeting on 7 June 2002 to commemorate the twenty-fifth anniversary of the conclusion of the Additional Protocols. The following topics were discussed at the meeting: context of the ratification of the Protocols by Belgium; international legal force of the Additional Protocols; suppression of grave breaches; distinction between civilians and combatants; and practical aspects of the implementation of the Additional Protocols in recent armed conflicts.[2]

4. Belgium has adopted national implementation measures in various areas governed by the instruments of the law of armed conflict.

Weapons

5. A committee for the legal evaluation of new weapons, instruments and methods of war has been created within the armed forces. Pursuant to article 36 of Protocol I, its mandate is to analyse the legality of every new weapon, instrument and method of war that is being designed or developed or that the Belgian armed forces may wish to acquire or adopt. In particular, the Committee will issue a reasoned opinion if, on the basis of its findings, the use of the new weapon, instrument or method of war is prohibited, under certain circumstances or all circumstances, by international law. (For the participation of Belgium in the Additional Protocols, see the annex to the main report (A/57/164).)

El Salvador

[Original: Spanish]
[28 June 2002]

Legal framework

Actions taken by the Armed Forces of El Salvador to comply with international humanitarian law

1. The Armed Forces of El Salvador have included the study of international humanitarian law, at both the theoretical and the practical levels, in the instructional curriculum for the various military units. ICRC has assisted in the preparation of mobile training teams composed of official instructors who update and strengthen the units' understanding of international humanitarian law.

2. In addition, the Armed Forces carried out two war games exercises at the Armed Forces Computerized Tactical Training Centre, in which international humanitarian law was applied, beginning with the planning stage of military operations. The exercises were conducted in cooperation with ICRC and the National Red Cross Society of El Salvador.

3. Furthermore, the Armed Forces, in cooperation with the United States Army Southern Command, are currently conducting an exercise known as Peacekeeping Operations "North 2002" (PKO North 02) at military theory and training command posts. More than 20 countries are participating in the exercise, which focuses on the protection of victims of armed conflicts and conflict resolution and prevention.

4. **National committee for the implementation of international humanitarian law.** In view of the need to meet the commitments undertaken by El Salvador in signing and ratifying international humanitarian law instruments, a national committee for the implementation of international humanitarian law was created, known as the Inter-Agency Committee on International Humanitarian Law of El Salvador, with the invaluable support of the Advisory Service of ICRC and its regional delegation in Guatemala.

5. **Activities to promote and disseminate international humanitarian law**. In its few years of existence the Inter-Agency Committee has disseminated information about its work at both national and international levels through the preparation of promotional material and the holding of a series of seminars on various aspects of international humanitarian law attended by officials and staff of the member agencies of the Committee, heads of university departments of juridical sciences and international relations, etc.

6. The Committee has also been invited to participate in various events and seminars for journalists and members of the Armed Forces.

7. **Activities at the legal and judicial level**. With respect to legislation, the Committee has carried out various activities aimed at promoting the fulfilment of the commitments undertaken in the adoption of international instruments.

8. In order to incorporate the provisions of the Geneva Conventions and Additional Protocols into existing law, draft amendments to the Penal Code and the Criminal Justice Code were submitted to the legislative committee. The draft amendments included provisions covering the offences in violation of international humanitarian law considered to be war crimes.

9. Furthermore, a legislative subcommittee is currently carrying out a study of the possibility of adopting the provisions of article 90 of Additional Protocol I, concerning the International Fact-Finding Commission.

The national committee — a world example

10. The Inter-Agency Committee on International Humanitarian Law of El Salvador has made significant progress and has a record of accomplishment in disseminating and implementing international humanitarian law. As a result of its efforts, which reflect both commitment and creativity, ICRC, in the *Handbook for Parliamentarians*, No. 1, 1999, published by ICRC and the Inter-Parliamentary Union, singled out El Salvador as being exemplary of its type at the regional level. (For the participation of El Salvador in the Additional Protocols, see the annex to the main report (A/57/164).)

Finland

[Original: English]
[28 June 2002]

1. The National Committee for the Dissemination of Humanitarian Law was established by the Ministry for Foreign Affairs of Finland in 1979 as an informal working group of governmental experts to coordinate the dissemination of the 1949 Geneva Conventions and the Additional Protocols in Finland. The mandate of the Committee was revised at that time to cover, in addition to the coordination of the implementation and dissemination of the Conventions and Protocols and other international humanitarian law instruments, the preparation of the international conferences of the Red Cross and Red Crescent and other relevant international conferences, and the monitoring of new developments in international humanitarian law and the consideration of their implications for Finland.

2. In addition to the activities organized or supported by the Ministry for Foreign Affairs, other institutions, such as the Finnish Red Cross, the Institute for Human Rights of the Abo Akademi University, and the Erik Castrén Institute of International Law and Human Rights, have organized courses and seminars and issued publications related to international humanitarian law within their fields of activity. Furthermore, the law faculties at the University of Helsinki, the University of Lapland, the University of Turku and the Institute for Human Rights of the Abo Akademi University provide courses on international humanitarian law. (For the participation of Finland in the Additional Protocols, see the annex to the main report (A/57/164).)

Germany

[Original: English]
[10 July 2002]

1. The Federal Ministry of Defence is responsible for the implementation of the norms of international humanitarian law within the German Armed Forces (Bundeswehr). Pursuant to the Law Governing the Legal Status of Soldiers, instruction in international humanitarian law as well as other international regulations, agreements and commitments is integrated into the training programmes for all military personnel

in the German Armed Forces. The courses are conducted by the relevant superior officers.

2. The Zentrum innerer Führung (Leadership Development and Civic Education Centre) offers a variety of courses for legal advisers, teachers of law and field-grade officers on subjects dealing with international law in general and with international humanitarian law in particular.

3. Additionally, legal advisers and teachers of law have the opportunity to improve their knowledge of international law in a tailor-made tactics training course offered by the Army Officers School and by participating in training courses and seminars and extension courses in Germany as well as abroad. (For the participation of Germany in the Additional Protocols, see the annex to the main report (A/57/164).)

Iran (Islamic Republic of)

[Original: English]
[4 September 2002]

1. The Government of the Islamic Republic of Iran, in accordance with articles 2 and 3 and chapter 3 of the Constitution of the Islamic Republic of Iran, respects the dignity and high value of human beings regardless of their ethnic group, religion, gender or native language, and emphasizes the observance of the basic rights and fundamental freedoms of all.

2. In consideration of the principles of Islam relating to the religious obligations of Muslim combatants in armed conflicts and the spirit of the Islamic culture, which is based on the protection of human dignity and integrity, as well as the historical heritage of Iranian civilization, the Government of the Islamic Republic of Iran believes in the observance of humane and ethical principles and restraints on military actions vis-à-vis civilians, particularly women, children, the wounded, prisoners of war, as well as the protection of the environment and cultural properties and sites.

3. In view of this, the activities and actions of the Government of the Islamic Republic of Iran and the positions taken by it with regard to law-making, and the promotion, development and implementation of international humanitarian law may be summarized as follows:

4. Given the fact that the main goal of codifying the principles of international humanitarian law is to protect the victims of armed conflicts and ameliorate the severe or excessive effects of such conflicts — and in this context, that their implementation is of fundamental significance; and also having regard to the decisions of the 26th International Conference of the Red Cross and Red Crescent in 1995, demanding the establishment by States of an inter-ministerial institution composed of government and public agencies involved in various fields of humanitarian activities, the Government of the Islamic Republic of Iran, pursuant to the decision of the Cabinet of 7 May 1999, has established the National Committee on Humanitarian Law.

5. The legal system of the Islamic Republic of Iran contains, inter alia, the following regulations governing the rules of armed conflict:

(a) Article 24 of the Punishment Act of the Armed Forces (approved on 24 May 1992) provides that any act of shooting committed by military personnel in contravention of the relevant rules and regulations shall be considered an offence, carrying a prison sentence of two months to one year. Regulations governing such acts shall be embodied in a code of conduct drafted and adopted by the General Chiefs of the Armed Forces;

(b) In addition to the above Act, chapter 8 of the Armed Forces Code of Conduct, entitled "Some rules and regulations of the Geneva Conventions the implementation of which has been approved", explicitly refers to a number of principles and rules of international humanitarian law.

Promotion and dissemination of the provisions of international humanitarian law

6. The National Committee on Humanitarian Law has recently taken certain measures to promote and disseminate humanitarian norms and concepts:

(a) Organizing a three-day workshop on humanitarian law for senior military officers and commanders in collaboration with the University of Tehran;

(b) Translation and publication of two books published by ICRC on the application of the rules of conduct of armed conflicts and international

humanitarian law, as well as publication of information kits and a handbook on the same subjects;

(c) Submission of proposals for the inclusion of two academic credits in international humanitarian law as part of university studies for armed forces personnel. (For the participation of the Islamic Republic of Iran in the Additional Protocols, see the annex to the main report (A/54/164).)

Lithuania

[Original: English]
[24 July 2002]

Status of implementation of the provisions of the multilateral instruments of international humanitarian law ratified by Lithuania in the national legal system of Lithuania

1. According to the Lithuanian Constitution and other national laws (especially the Law on International Treaties), all international humanitarian law treaties ratified by the Seimas (parliament) form part of the national law and their provisions have priority in case of conflict with the national law. Hence, constitutional and other national legal provisions have created the most favourable conditions for the implementation of international humanitarian law.

2. Lithuania has in place all the most important laws necessary for the implementation of the Geneva Conventions and the Additional Protocols thereto as well as other international humanitarian law instruments. The newly enacted Criminal Code covers all war crimes and crimes against humanity (including genocide). In 2000, the Law on the Status of the National Society of the Red Cross and the Use of the Emblem of the Red Cross and Red Crescent was adopted. The amendment to the Administrative Code of the Republic of Lithuania covering responsibility for the misuse of the Red Cross emblem in time of peace is expected to be adopted in 2002.

Dissemination of international humanitarian law and training in the field

3. The issues of international humanitarian law are included in the training programmes for soldiers and officers of the armed forces as well as for police forces. They are part of the curriculum at the Military Academy, the Non-Commissioned Officers School as well as at the Lithuanian Law University, which prepares police officers. International humanitarian law is also among the subjects studied by the future specialists of international law and politics in the Faculty of Law and the Institute of International Relations and Political Science of Vilnius University.

Lithuanian national institutions responsible for the implementation of international humanitarian law

4. On 22 May 2001, the amendment to the Regulations of the Ministry of National Defence was supplemented by a provision that "the Ministry of National Defence shall coordinate the implementation of international humanitarian law in Lithuania". Pursuant to the Order of the Minister of National Defence of 30 August 2001, the Commission on Implementation of International Humanitarian Law was established. A regulation of the Commission, approved by the Minister at the time, defines the Commission as an advisory institution to the Minister of National Defence. Its principal task is to provide assistance to the Ministry of National Defence in coordinating the implementation of international humanitarian law in Lithuania. (For the participation of Lithuania in the Additional Protocols, see the annex to the main report (A/57/164).)

Panama

[Original: Spanish]
[15 May 2002]

1. In 1997, a Standing National Committee for the Implementation of International Humanitarian Law was set up pursuant to Executive Decree No. 154 of 1997 as one of the measures to implement the Conventions and the Additional Protocols thereto. The Committee is made up of 12 institutions of the Panamanian State and civil society as represented by the Panamanian Red Cross. The International Committee of the Red Cross provides advice on a continuing basis.

2. The Legislative Subcommittee of the Standing Committee drafted the Act concerning protection of the emblem; it has also drafted an amendment to the Penal Code defining what conduct constitutes violations of international humanitarian law (genocide, war crimes

and crimes against humanity) and is planning to submit it shortly to the relevant authorities.

3. *The Committee has managed to ensure that* courses are held on a continuing basis, both at the School of International Relations of the University of Panama, which has produced countless monographs on the topic, and at the Police Academy. Currently, it is trying to establish a similar course at the School of Law of the University of Panama and at the National Air Service. (For the participation of Panama in the Additional Protocols, see the annex to the main report (A/57/164).)

Russian Federation

[Original: Russian]
[2 August 2002]

1. With a view to the further implementation of the various norms of international humanitarian law, the Government of the Russian Federation adopted the Medium-Term Programme for the Socio-economic Development of the Russian Federation (2002-2004), which points to the need to adopt measures to establish a State system providing medico-social as well as medico-psychological rehabilitation to the victims of armed conflicts and emergency situations. In drawing up the normative and legal instruments, federal executive agencies have been instructed to follow the Programme's provisions.

Information on the dissemination of knowledge about international humanitarian law

2. On an annual basis, Russian ministries and departments, in particular the Ministry of Internal Affairs and the Ministry of Defence, conduct, independently and jointly with ICRC, legal training programmes in the field of international humanitarian law and human rights. In conjunction with these programmes, conferences, lectures, seminars and competitions are conducted on issues relating to the observance of the norms of international humanitarian law, under conditions of armed conflict, the teaching of international humanitarian law, and also its practical application in the professional activities of various categories of Russian employees.

3. In 2001, 5,000 copies of the textbook entitled *International Humanitarian Law* were distributed to the internal officers of the Ministry of Internal Affairs, and a training manual for soldiers and sailors on the topic "Observing the norms of international humanitarian law in internal armed conflicts" was also issued.

4. Competitions testing knowledge of the norms of international humanitarian law are held among the students at specialized military academic institutions. In the past two years, three competitions for student teams have been held, with the participation of approximately 30 teams from different military academic institutions in the Russian Federation and the Commonwealth of Independent States. In 2002, the Russian national team participated in the international competition held in Italy for student teams on knowledge of the norms of international humanitarian law.

5. Special classes on particular aspects of the application of norms of international humanitarian law during peacemaking operations are provided for servicemen who are being sent on peacemaking missions.

6. In 2001, the Ministry of Defence signed Order No. 360, entitled, "measures for observing the norms of international humanitarian law in the armed forces of the Russian Federation", which regulates the procedure for drawing up normative legal instruments relating to aspects of international humanitarian law and their study in the armed forces.

7. Instructions on international humanitarian law for the armed forces of the Russian Federation have been drafted. They are a supplement to the Service Regulations and include the basic norms of international humanitarian law as well as recommendations on its implementation in the preparation and conduct of combat operations. (For the participation of the Russian Federation in the Additional Protocols, see the annex to the main report (A/57/164).)

Slovenia

[Original: English]
[June 2002]

1. As a newly independent State,[3] the Republic of Slovenia emphasized the significance of membership in the most important conventions and other instruments of international humanitarian law. Slovenia thus

expressed its commitment to and support for the endeavours of the international community to define as clearly as possible the status of participants in international and national armed conflicts, to provide efficacious assistance to the victims of such conflicts and to strengthen peace, security, mutual trust and understanding between the nations of the world. In addition to the ratification and notification of succession to the most important international humanitarian law instruments, the proof of Slovenia's efforts lies in the great number of national regulations adopted within this framework, the institutional adaptation undergone by its bodies and organizations, the implementation of its obligations in this field and the systematic dissemination of knowledge in international humanitarian law.

Notification of succession and ratification of important international humanitarian law instruments

2. During the initial period following the independence of the Republic of Slovenia, attention was mainly focused on the notification of succession to the international humanitarian law instruments ratified by the former common State, the Socialist Federal Republic of Yugoslavia. Slovenia's basic intention was to assume the concomitant responsibilities and ensure continuity.[4] However, the newly independent State wished to emphasize and make clear its responsibility and obligations with regard to membership of individual international humanitarian law instruments.

National legislation for the implementation of international instruments of international humanitarian law

3. The Penal Code (OJ RS Nos. 63/94, 70/94 and 23/99) stipulates in its general articles the criminality of violating international humanitarian law provisions, even if such violations are committed by a military person at the order of a superior (article 283).

4. A second provision refers to the non-applicability of the statute of limitations to war crimes (article 116).

5. Specific serious violations of international humanitarian law are included in the chapter on criminal offences against humanity and international law.

6. The Defence Act (OJ RS No. 82/94) contains the injunction to implement all forms of military and civil defence in conformity with the principles of international humanitarian law or international commitments undertaken (article 4). Under the system of military command, no one may issue a command or be under an obligation to carry out an order if it is obvious that by doing so he/she would commit a criminal offence or violate the provisions of international humanitarian law (article 43).

7. The Law on the Slovenian Red Cross (OJ RS No. 7/93) regulates the status and functioning of the national association and within this framework also the activity of the enquiry service for prisoners of war and internees, the training of personnel in implementing the tasks arising from the Geneva Conventions and the dissemination of knowledge about international humanitarian law. The law separately regulates the use and protection of the Red Cross emblem and stipulates punishment for its improper use; the abuse of the emblem is incorporated in the Penal Code. After the International Organization of the Red Cross and the Red Crescent had made suggestions and comments on the basis of substantive analysis of this part of the law, proposals for its amendment were worked out, particularly concerning the limitation and precise definition of the protected use of the emblem.

Education, training and dissemination of knowledge in the field of international humanitarian law

8. In the units of the Slovenian Armed Forces, soldiers and members of the military hierarchy acquire a basic knowledge of international humanitarian law. In schools for both non-commissioned and commissioned officers, candidates are acquainted in detail with the principles and provisions of international humanitarian law.

9. With reference to the security forces and police operations, particular emphasis is given to the training of police officers participating in international peace missions. All officers must attend a special seminar in international humanitarian law. All members of the police are given a brochure on international humanitarian standards for the use of force, and the topic of human rights and international humanitarian law is included in the curriculum at the Police Academy. The principles and provisions of international humanitarian law are included in the study of criminal law, history and professional ethics at the College of Police and Security Studies.

10. Training seminars on the principles and provisions of international humanitarian law are organized within the Slovenian Red Cross for physicians, nurses, Civil Protection attendants, Red Cross nurses and nurses in the Slovenian Armed Forces.

National Commission on International Humanitarian Law of the Republic of Slovenia

11. In addition to systematically addressing individual topics of implementation of international humanitarian law, the Commission submitted several proposals to the Government and to individual ministries to expedite the ratification of international humanitarian law instruments and amendments to the domestic laws, and to implement organizational and institutional measures to improve the situation in this field. (For the participation of Slovenia in the Additional Protocols, see the annex to the main report (A/57/164).)

Sweden

[Original: English]
[28 June 2002]

1. Sweden continues to attach great importance to the work to strengthen the implementation of international humanitarian law and the protection of persons, and was therefore pleased to see the Swedish National Defence College hosting the third meeting of the research project of the International Institute of Humanitarian Law on Humanitarian Protection in Non-international Armed Conflict, which was held in Stockholm from 19 to 23 September 2001.

2. Following the adoption of the Plan of Action of the 27th International Red Cross and Red Crescent Conference in 1999, a joint effort was made by the Swedish Red Cross, the Swedish Total Defence Council and the Ministry of Foreign Affairs to translate, publish and distribute the plan of action to relevant ministries, authorities and organizations. The translation of the plan of action is also available on the web site of the Swedish Red Cross. (For the participation of Sweden in the Additional Protocols, see the annex to the main report (A/57/164).)

United Kingdom of Great Britain and Northern Ireland

[Original: English]
[28 June 2002]

1. The Geneva Conventions (Amendment) Act (Overseas Territories) Order 2002 (S.I. 2002/1076), which came into force on 1 May 2002, extended the application of the 1995 Act (which provides for amendments to the Geneva Conventions Act 1957, enabling the United Kingdom to ratify the 1977 Additional Protocols) to the following Overseas Territories for whose international relations the United Kingdom is responsible:

Anguilla	Pitcairn, Henderson, Ducie and Oeno Islands
Bermuda	St. Helena and Dependencies
British Antarctic Territory	South Georgia and the South Sandwich Islands
British Indian Ocean Territory	Sovereign Base Areas of Akrotiri and Dhekelia
Cayman Islands	Turks and Caicos Islands
Falkland Islands	Virgin Islands
Montserrat	

2. Accordingly, the United Kingdom Government is writing to inform the Swiss Government, as depository of the Geneva Conventions and the Additional Protocols, that the United Kingdom's ratification of the Additional Protocols will be extended to the above territories. The same statements made by the United Kingdom upon the ratification of Additional Protocol I are made in relation to the extension of the United Kingdom's ratification of the Additional Protocols to the above territories.

3. On 17 May 1999, the United Kingdom made the following statements regarding the United Kingdom's acceptance of the competence of the International Fact-

Finding Commission, as provided for in article 90 of Additional Protocol I:

> "The Government of the United Kingdom of Great Britain and Northern Ireland declares that it recognizes ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the International Fact-Finding Commission to inquire into allegations by such other Party, as authorized by article 90 of Protocol I Additional to the Geneva Conventions of 1949."

4. This statement has, in May 2002, also been accepted by the territories listed above. The United Kingdom Government is therefore writing to inform the Swiss depository that its statement of 17 May 1999 is to be extended to those territories.

Dissemination of international humanitarian law

5. The United Kingdom Interdepartmental Committee for International Humanitarian Law was established in 1999 and is composed of representatives of the government departments responsible for international humanitarian law matters, together with representatives from the British Red Cross.

6. The Interdepartmental Committee established a sub-group on dissemination to consider dissemination issues.

7. The Foreign and Commonwealth Office published an illustrated booklet entitled "United Kingdom and International Humanitarian Law" in September 2001. The booklet has been widely distributed both within and outside the Government and is intended to provide an introduction to the basic principles of international humanitarian law, United Kingdom implementation and recent developments. (For the participation of the United Kingdom in the Additional Protocols, see the annex to the main report (A/57/164).)

Yugoslavia

[Original: English]
[28 June 2002]

1. Following its readmission to membership in the United Nations on 1 November 2000 and having regulated its status in many international organizations in 2001 and 2002, the Federal Republic of Yugoslavia has undertaken the complex task of accepting, by way of succession, almost all international agreements to which the former Yugoslavia was a Contracting Party.

2. In that respect, special attention was given to the 1949 Geneva Conventions and the 1977 Additional Protocols thereto. By its successor statement of 28 September 2001, addressed to the Government of Switzerland, as depository of the above Conventions and Protocols, the Federal Government of the Federal Republic of Yugoslavia, without any reservations and as of 27 April 1992, when the Federal Republic of Yugoslavia was established, accepted the Conventions and the Additional Protocols thereto.

3. The Yugoslav Red Cross implements the programme for the dissemination of international humanitarian law and the basic principles of the International Red Cross and the Red Crescent movement.

4. In this connection, it is particularly noteworthy that the Yugoslav Red Cross has been included on a regular basis in dissemination programmes for the Army of Yugoslavia, in cooperation with the International Committee of the Red Cross.

5. In cooperation with the ICRC, the Yugoslav Red Cross is seeking to set up a Centre for International Humanitarian Law within the Yugoslav Red Cross, which would gather experts on this issue from the entire territory of Yugoslavia. The Centre's task would be to expand dissemination activity to include an in-depth study of certain issues from the field of international humanitarian law, prepare the relevant recommendations to the competent government authorities, in cooperation with similar institutions abroad, as well as to prepare methodological and professional innovations as regards dissemination, etc.

6. In this regard, the Yugoslav Red Cross has engaged in introducing new programmes. For example, in 2002, it initiated a specialized course in international humanitarian law, at the postgraduate level at the Faculty of Political Science in Belgrade. This is the first time such a course has been organized in the territory of Yugoslavia and, along with members of the Faculty, the Yugoslav Red Cross and ICRC are taking part in its implementation.

7. In 2002, the Yugoslav Red Cross initiated a campaign to raise awareness of the dangers posed by small arms and light weapons. The campaign was well received by the public and also by the competent government authorities, which extended their full support. In addition to the support received in Yugoslavia, the campaign was widely promoted outside the country. The Yugoslav Red Cross presented the campaign within the United Nations, during the July 2001 United Nations Conference against the illegal trade in small arms and light weapons, as well as at the regular sessions of the working bodies of the International Red Cross Movement in Geneva.

8. The Commission for International Humanitarian Law of the Yugoslav Red Cross, established in 1970, plays the role of a national commission. It provides advice to the Federal Government, the Yugoslav Red Cross and other bodies dealing with international humanitarian law in regard to the activities that need to be undertaken to encourage the implementation and development of this branch of international law.

9. Following the accession of the Federal Republic of Yugoslavia to membership in the United Nations, the Commission initiated actions to promote the confirmation by the competent government authorities of the membership of the Federal Republic of Yugoslavia in the international humanitarian law conventions to which the Socialist Federative Republic of Yugoslavia was a Contracting Party and to promote Yugoslavia's becoming a contracting party to new conventions in the field.

10. The Missing Persons Service of the Yugoslav Red Cross, an official service contemplated under the provisions of international humanitarian law, has continued its activities in assisting the victims of war. (For the participation of Yugoslavia in the Additional Protocols, see the annex to the main report (A/57/164).)

Notes

[1] With regard to this Committee and its work, see the report to the King submitted prior to the royal decree of 6 December 2000 establishing CIDH (*Moniteur belge*, 12 December 2000). See also M. Offermans, "La Commission interdépartementale de droit humanitaire de Belgique", *Revue internationale de la Croix-Rouge*, No. 788, mars-avril 1991, pp. 164-177. An English translation of this article was published in the *International Review of the Red Cross*, No. 281, March-April 1991, pp. 154-166. The article was supplemented by its author for the period 1991-1999 by means of the working document drafted for the Regional European Meeting of National Commissions on Humanitarian Law (Brussels, 19-20 April 1999). The working document is included in the report of the meeting, published by ICRC in 1999 under the title "Rencontre européenne des Commissions et autres instances nationales du droit international humanitaire".

[2] The documents of this meeting have been published in a compendium compiled by the Ministry of Foreign Affairs and distributed to the meeting's participants.

[3] The Republic of Slovenia won international recognition in January 1992 and became a member of the United Nations on 22 May 1992.

[4] The Basic Constitutional Charter on the Sovereignty and Independence of the Republic of Slovenia (OJ RS, No. 1-4/91, 25 June 1991) stipulates that the Republic of Slovenia assumes all the rights and duties which under the Constitution of the Republic of Slovenia and the Constitution of the Socialist Federal Republic of Yugoslavia were transferred to the authorities of the Socialist Federal Republic of Yugoslavia. The Constitutional Act for the implementation of this instrument stipulates that international agreements concluded by the Socialist Federal Republic of Yugoslavia which refer to the Republic of Slovenia apply in the territory of the Republic of Slovenia (article 3).